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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
\$50,040 IN UNITED)
STATES CURRENCY,)
)
Defendant.)
)
_____)
MICHAEL MOSS,)
)
Claimant.)
_____)

No. C 06- 4552 WHA

STIPULATION AND ORDER
RESCHEDULING MOTION HEARING
AND CONTINUING CASE
MANAGEMENT CONFERENCE

The parties agree, subject to the Court's approval, that the hearing on the motion of claimant to dismiss pursuant to Rule 12(b), Federal Rules of Civil Procedure, shall be rescheduled to April 12, 2007, at 8:00 a.m.; that the opposition of the United States to that motion shall be filed on or before March 15, 2007; and that the reply of claimant shall be filed on or before March 29, 2007. The parties further also agree, subject to the Court's approval, that the case management conference should be rescheduled, if necessary, to April 26, 2007.

The requested rescheduling is primarily because the parties would like an opportunity to explore possible resolution of this case without further litigation and prior to spending more time in litigating the pending motion. In addition, the undersigned government counsel will be undergoing radiation treatments beginning next week and on each morning through March 2, 2007. As a consequence, counsel for claimant have graciously agreed to reschedule so that the government's opposition is not due until after the radiation treatment is completed.

Because a case management conference would not logically move this case forward until after the resolution of the claimant's pending dispositive motion, the parties further agree, subject to the Court's approval, that the case management conference scheduled for February 22, 2007, be rescheduled until April 26, 2007, if needed.

IT IS SO STIPULATED:

Dated: January 12, 2007

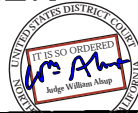
KEVIN V. RYAN
United States Attorney

Patricia J. Kenney
PATRICIA J. KENNEY
Assistant United States Attorney

Dated: January 12, 2007

Brenda Grantland
BRENDA GRANTLAND, Esquire
Attorney for Claimant

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED ON THIS 16 DAY OF January, 2007, THAT THE PARTIES' BRIEFING SCHEDULE SET FORTH ABOVE IS ADOPTED AND THAT THE CASE MANAGEMENT CONFERENCE CURRENTLY SCHEDULED FOR FEBRUARY 22, 2007 IS RESCHEDULED FOR APRIL 26, 2007.



HONORABLE WILLIAM ALSOP
United States District Judge

Stipulation & Order
C 06-4552 WHA